

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 9

In the Matter of

RALSTON FOODS, A DIVISION OF RALCORP
HOLDINGS, INC.

Employer

and

Case 9-AC-104

UE LOCAL 777, UNITED ELECTRICAL, RADIO
AND MACHINE WORKERS OF AMERICA (UE)

Petitioner

DECISION AND AMENDMENT
OF CERTIFICATION

Upon a petition filed under Section 9(b) of the National Labor Relations Act, as amended, careful investigation and consideration took place.

Pursuant to the provisions of Section 3(b) of the Act, the Board has delegated its authority in this proceeding to the undersigned Regional Director.

Upon the entire record in this proceeding, the Regional Director finds:

1. The Employer is engaged in commerce within the meaning of the Act and it will effectuate the purposes of the Act to assert jurisdiction herein.
2. The Petitioner proposes to amend the certification issued by the Regional Director on December 31, 2007 in Case 9-RC-18184. In that case, the Independent Food Operators was certified as the bargaining representative of the employees in the following unit:

All production employees employed by the Employer at its 276 Bremen Road, Lancaster, Ohio facility; excluding all laboratory technicians, maintenance employees, maintenance clerks, vitamin pre-mix technicians, plant clerical employees, sanitation employees, power house employees, temporary employees, office clerical employees, and all professional employees, guards and supervisors as defined in the Act.

On January 23, 2008, the Independent Food Operators approved the affiliation of the Independent Food Operators with the United Electrical, Radio and Machine Workers of America

(UE) as UE Local 777, when, after proper notice to all members of the Independent Food Operators, an election was conducted in which a majority of the members voted to affiliate with the United Electrical, Radio and Machine Workers of America (UE). Further, there is evidence of substantial continuity between the Independent Food Operators and UE Local 777. The Employer has raised no objections to the affiliation.

3. Accordingly, the Certification of Representative issued on December 31, 2007 in Case 9-RC-18184 should be, and it hereby is, amended as follows: by substituting UE Local 777, United Electrical, Radio and Machine Workers of America (UE) as the certified union.

Dated at Cincinnati, Ohio this 15th day of February 2008.

/s/ Gary W. Muffley

Gary W. Muffley, Regional Director
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